

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

In re: Bair Hugger Forced Air Warming
Products Liability Litigation

MDL No. 15-2666 (JNE/DTS)

This Document Relates To:

Ducote, 16-cv-3940-JNE-DTS
Cole, 17-cv-2166-JNE-DTS
Ashby, 17-cv-2554-JNE- DTS
Trewhella, 17-cv-3159-JNE-DTS
Cicccone, 17-cv-3629-JNE-DTS
Chapman, 17-cv-3850-JNE-DTS
Spear, 17-cv-4886-JNE-DTS
Ward, 17-cv-4893-JNE-DTS
Jennings, 18-cv-1485-JNE-DTS

**DECLARATION OF BENJAMIN
HULSE REGARDING
DEFENDANTS' FOURTH MOTION
TO DISMISS CASES FOR FAILURE
TO COMPLY WITH PRETRIAL
ORDER NO. 23 AND/OR
FED. R. CIV. P. 25(a) AND 41(b)**

Under 28 U.S.C. § 1746, I, Benjamin W. Hulse, hereby declare as follows:

1. I am an attorney at the law firm of Blackwell Burke P.A., and one of the attorneys representing 3M Company ("3M") and Arizant Healthcare Inc. ("Arizant") (collectively "Defendants") in this litigation. I submit this declaration in support of Defendants' Fourth Motion to Dismiss Cases for Failure to Comply with Pretrial Order No. 23 and/or Fed. R. Civ. P. 25(a) and 41(b). Unless otherwise stated, the facts set forth herein are based upon my personal knowledge, information, and belief.

2. Attached as Exhibit A is a copy of the obituary of plaintiff Maxie J. Ducote, available online at <https://www.legacy.com/obituaries/name/maxie-ducotesr-obituary?pid=186045777>.

3. Attached as Exhibit B is a copy of the obituary of plaintiff Jeane Cole, available online at <https://indiana.funeral.com/2017/09/09/jeane-m-cole/>.

4. Attached as Exhibit C is a copy of the obituary of plaintiff Ethel Ashby, available online at <https://funeralinnovations.com/obituary/265855/Ethel-Ashby/>.

5. Attached as Exhibit D is a copy of the obituary of plaintiff Kenneth Chapman, available online at <http://www.legacy.com/obituaries/dispatch/obituary.aspx?pid=189046061>.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Minneapolis, Minnesota, this 8th day of November, 2018.

Dated: November 8, 2018

Respectfully submitted,

s/Benjamin W. Hulse

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